



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

gdc
10/5/02

Paper No. 16

FITZPATRICK, CELLA, HARPER
& SCINTO
30 Rockefeller Plaza
New York, NY 10112-3801

OCT 21 2002

In re Application of:	:	
Yamamoto <i>et al.</i>	:	DECISION ON PETITION
Application No. 09/513,129	:	TO WITHDRAW HOLDING
Filed: February 25, 2000	:	OF ABANDONMENT
Attorney Docket No. 03500.014299	:	

This is a decision on the request filed May 22, 2002, to withdraw the holding of abandonment. This request is being treated as a petition under 37 CFR § 1.181, to withdraw the holding of abandonment in the above application. No petition fee is required.

The petition to withdraw the holding of abandonment is **GRANTED**.

The application was held abandoned for the failure timely pay the issue fee in response to a Notice of Allowance and Issue Fee Due mailed on November 28, 2001. A Notice of Abandonment was mailed on May 06, 2002.

Petitioner asserts that on January 10, 2002, a Request for Continued Examination (RCE) under 37 CFR § 1.114, was filed. The RCE was accompanied by a Preliminary Amendment. In support of this assertion, petitioner has submitted a copy of the RCE, a copy of the Preliminary Amendment and a copy of the itemized postcard receipt bearing a date stamp of receipt in the United States Patent and Trademark Office of January 10, 2002 of an RCE, a check for the fee, a Preliminary Amendment and a transmittal letter.

A review of the application file reveals the above noted RCE was not matched with the application file wrapper at the time of mailing of the Notice of Abandonment. The above identified RCE filed January 10, 2002 has since been located and matched with the file wrapper.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for processing the RCE. From there, the application will be forwarded to the examiner for taking

appropriate action.

Inquiries regarding this decision should be directed to Clayton E. LaBalle at (703) 308-0519.

A handwritten signature in black ink, appearing to read "Hien Phan", written over a horizontal line.

Hien Phan, Special Programs Examiner
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components